

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:19-CR-00395-D-6

United States of America,

v.

Troy Davis,

Defendant.

Order

Defense counsel has asked the court to allow him to withdraw as counsel for Defendant Troy Davis. The basis for this request is a breakdown in the attorney-client relationship. The court held a hearing with Davis and his counsel to discuss the nature of the dispute and its impact on their professional relationship.

In order to be entitled to the appointment of a new attorney, a defendant must make a showing of good cause. *United States v. Gallop*, 838 F.2d 105, 107 (4th Cir. 1988). Given the nature of the dispute and the fact that it is unlikely to resolve, the court finds that good cause has been shown to allow Davis's attorney to withdraw.

The court thus grants the Motion to Withdraw. The court orders the Federal Public Defender to appoint new counsel for Davis. Davis's current attorney is relieved of any further responsibility in this matter once the newly appointed counsel enters a notice of appearance.

Any delay resulting from counsel's withdrawal and the appointment of new counsel shall be excluded in computing time under the Speedy Trial Act as set forth in 18 U.S.C. §§ 3161(h)(7)(A). This delay will allow the defendant a reasonable time to obtain counsel and allow defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

Dated: October 25, 2021



Robert T. Numbers, II
United States Magistrate Judge